



COUNCIL CHAMBERS

17555 PEAK AVENUE MORGAN HILL CALIFORNIA 95037

COUNCIL MEMBERS	REDEVELOPMENT AGENCY
Steve Tate, Mayor	Steve Tate, Chair
Larry Carr, Mayor Pro Tempore	Larry Carr, Vice-Chair
Mark Grzan, Council Member	Mark Grzan, Agency Member
Marby Lee, Council Member	Marby Lee, Agency Member
Greg Sellers, Council Member	Greg Sellers, Agency Member

WEDNESDAY, JANUARY 24, 2007

AGENDA

JOINT MEETING

CITY COUNCIL REGULAR MEETING

and

REDEVELOPMENT AGENCY REGULAR MEETING

7:00 P.M.

CALL TO ORDER

(Mayor/Chairperson Tate)

ROLL CALL ATTENDANCE

(City Clerk/Agency Secretary Torrez)

DECLARATION OF POSTING OF AGENDA

Per Government Code 54954.2

(City Clerk/Agency Secretary Torrez)

SILENT INVOCATION

PLEDGE OF ALLEGIANCE

INTRODUCTIONS

NEW HIRES

Elizabeth Bassett - Development Services Technician
Estefana Catbagan-Lavia – Public Safety Dispatcher
Sandra Diner – Office Assistant II
D’Arcy Gallagher – Dispatch Supervisor
Lydia Gamino – Accounting Assistant II
Jolie Hunter – Recreation Services Coordinator
Sergio Marquez – Groundskeeper
Brian Sharp – Maintenance Worker I
Richard Wake – Utility Worker I

PROCLAMATIONS

RECOGNITIONS

Santa Clara County Fire Department’s 100th Anniversary
Ken Waldvogel, Acting Santa Clara County Fire Chief

CITY COUNCIL REPORTS

Council Member Sellers

CITY COUNCIL COMMITTEE REPORTS

CITY MANAGER'S REPORT

CITY ATTORNEY’S REPORT

OTHER REPORTS

City Treasurer’s Quarterly Report
City Treasurer Roorda

PUBLIC COMMENT

NOW IS THE TIME FOR COMMENTS FROM THE PUBLIC REGARDING ITEMS NOT ON THIS AGENDA.

(See notice attached to the end of this agenda.)

**PUBLIC COMMENTS ON ITEMS APPEARING ON THIS AGENDA WILL BE TAKEN AT THE TIME
THE ITEM IS ADDRESSED BY THE COUNCIL. PLEASE COMPLETE A SPEAKER CARD AND
PRESENT IT TO THE CITY CLERK.**

(See notice attached to the end of this agenda.)

**PLEASE SUBMIT WRITTEN CORRESPONDENCE TO THE CITY CLERK/AGENCY SECRETARY. THE
CITY CLERK/AGENCY SECRETARY WILL FORWARD CORRESPONDENCE TO THE CITY
COUNCIL/REDEVELOPMENT AGENCY.**

City Council and Redevelopment Agency Action

ADOPTION OF AGENDA

City Council Action

CONSENT CALENDAR:

ITEMS 1-7 The Consent Calendar may be acted upon with one motion, a second and the vote, by each respective Agency. The Consent Calendar items are of a routine or generally uncontested nature and may be acted upon with one motion. Pursuant to Section 5.1 of the City Council Rules of Conduct, any member of the Council or public may request to have an item pulled from the Consent Calendar to be acted upon individually.

	Time Estimate	Page
	Consent Calendar: 1 - 10 Minutes	
1.	<u>EXTEND APPOINTMENT TERMS FOR THREE (3) PARKS & RECREATION COMMISSION MEMBERS FOR ONE-YEAR</u>	1
	Recommended Action(s): <u>Extend</u> Appointment Terms for Parks & Recreation Commissioners Alan Clark, Laura Hagiperos, and Katherine Hardt-Mason for One Year, Terms Expiring April 1, 2008.	
2.	<u>DECEMBER 2006 FINANCE AND INVESTMENT REPORT – CITY</u>	13
	Recommended Action(s): <u>Accept</u> and <u>File</u> Report.	
3.	<u>PURCHASE OF VEHICLES</u>	41
	Recommended Action(s):	
	1. <u>Authorize</u> Vehicle Purchases for a Total Cost of \$238,491 from Folsom Ford; and	
	2. <u>Declare</u> Vehicles on Spreadsheet as Surplus and <u>Authorize</u> Sale at Auction.	
4.	<u>APPOINTMENT OF AN ALTERNATE TO THE SANTA CLARA COUNTY HOUSING & COMMUNITY DEVELOPMENT CITIZEN ADVISORY COMMISSION</u>	45
	Recommended Action(s):	
	1. <u>Approve</u> Mayor's Appointment of Laura Gonzalez-Escoto as the City Council's Alternate Citizen Representative to the Santa Clara County Housing & Community Development's Citizen Advisory Commission; and	
	2. <u>Direct</u> Business Assistance and Housing Services Personnel to Notify the Santa Clara County Housing & Community Development Department of Said Appointment.	
5.	<u>REJECTION OF BID TRAILER MOUNTED POWER-VACUUM AND WATER-JETTING SYSTEM</u>	47
	Recommended Action(s):	
	1. <u>Reject</u> Bid Received on January 9, 2007 for a Trailer Mounted Power-Vacuum and Water-Jetting System; and	
	2. <u>Authorize</u> Staff to Re-Bid.	
6.	<u>APPROPRIATE FUNDS FOR UPDATING THE BIKEWAYS MASTER PLAN</u>	49
	Recommended Action(s): <u>Appropriate</u> \$28,000 in Additional Funds from the City's Current Year Un-Appropriated Parks Maintenance Fund Balance (302), to be Reimbursed with a VTA Grant Later this Year.	
7.	<u>ADOPT ORDINANCE NO. 1817, NEW SERIES</u>	53
	Recommended Action(s): <u>Waive</u> the Reading, and <u>Adopt</u> Ordinance No. 1817, New Series, and <u>Declare</u> That Said Title, Which Appears on the Public Agenda, Shall be Determined to Have Been Read by Title and Further Reading Waived; Title as Follows: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORGAN HILL APPROVING A DEVELOPMENT AGREEMENT FOR APPLICATION MC-05-03: MONTEREY – GUNTER. (APN 726-23-008) (DA-06-06: MONTEREY - GUNTER)	

Redevelopment Agency Action

CONSENT CALENDAR:

ITEM 8

Time Estimate Page
Consent Calendar: 1 - 10 Minutes

8. **DECEMBER 2006 FINANCE AND INVESTMENT REPORT – RDA**..... 57
Recommended Action(s): Accept and File Report.

City Council and Redevelopment Agency Action

CONSENT CALENDAR:

ITEM 9

Time Estimate Page
Consent Calendar: 1 - 10 Minutes

9. **ANNUAL FINANCIAL REPORTS FOR FISCAL YEAR 2005-2006** 67
Recommended Action(s):
City Council Action:
1. Accept and File Comprehensive Annual Financial Report and Single Audit Report for Fiscal Year 2005-2006.
Redevelopment Agency Board Action:
2. Accept and File Financial Statements for the Redevelopment Agency for Fiscal Year 2005-2006.

City Council Action

OTHER BUSINESS:

Time Estimate Page

10. 30 Minutes **PRESENTATION OF INDUSTRIAL LANDS AND SOUTHEAST QUADRANT (SEQ) MARKET STUDY, AND DISCUSSION STEPS**69
Recommended Action(s): Receive Presentation, Accept Report, Discuss Alternative Next Steps, and Provide Direction to Staff.
11. 15 Minutes **APPROVAL OF ACCESS RESTRICTION AGREEMENT FOR MIRA LAGOS DRIVE**149
Recommended Action(s):
1. Authorize City Manager to Sign the Grant of Access Restriction Agreement on Behalf of the City, Subject to Review and Approval by the City Attorney ; and
2. Authorize Recordation of the Grant of Access Restriction Agreement.
12. 5 Minutes **UPDATE ON PERCHLORATE CONTAMINATION ISSUES**163
Recommended Action(s): Accept Report.

City Council and Redevelopment Agency Action

OTHER BUSINESS:

	Time Estimate		Page
13.	10 Minutes	<u>CHAMBER OF COMMERCE ECONOMIC DEVELOPMENT MARKETING PLAN</u> <u>Recommended Action(s):</u> <u>Consider</u> Presentation from the Morgan Hill Chamber of Commerce's Economic Development Committee (EDC) and <u>Direct</u> Staff, as Appropriate.	185

FUTURE COUNCIL AGENCY-INITIATED AGENDA ITEMS:

Note: in accordance with Government Code Section 54954.2(a), there shall be no discussion, debate and/or action taken on any request other than providing direction to staff to place the matter of business on a future agenda.

ADJOURNMENT

PUBLIC COMMENTS ON ITEMS *NOT* APPEARING ON AGENDA

Following the opening of Council/Agency business, the public may present comments on items *NOT* appearing on the agenda that are within the Council's/Agency's jurisdiction. Should your comments require Council/Agency action, your request will be placed on the next appropriate agenda. No Council/Agency discussion or action may be taken until your item appears on a future agenda. You may contact the City Clerk/Agency Secretary for specific time and dates. This procedure is in compliance with the California Public Meeting Law (Brown Act) G.C. 54950.5. Please limit your presentation to three (3) minutes.

PUBLIC COMMENTS ON ITEMS APPEARING ON AGENDA

The Morgan Hill City Council/Redevelopment Agency welcomes comments from all individuals on any agenda item being considered by the City Council/Redevelopment Agency. Please complete a Speaker Card and present it to the City Clerk/Agency Secretary. This will assist the Council/Agency Members in hearing your comments at the appropriate time. Speaker cards are available on the table in the foyer of the Council Chambers. In accordance with Government Code 54953.3 it is not a requirement to fill out a speaker card in order to speak to the Council/Agency. However, it is very helpful to the Council/Agency if speaker cards are submitted. As your name is called by the Mayor/Chairman, please walk to the podium and speak directly into the microphone. Clearly state your name and address and then proceed to comment on the agenda item. In the interest of brevity and timeliness and to ensure the participation of all those desiring an opportunity to speak, comments presented to the City Council/Agency Commission are limited to three minutes. We appreciate your cooperation.

NOTICE

AMERICANS WITH DISABILITIES ACT (ADA)

The City of Morgan Hill complies with the Americans with Disability Act (ADA) and will provide reasonable accommodation to individuals with disabilities to ensure equal access to all facilities, programs and services offered by the City. If you need special assistance to access the meeting room or to otherwise participate at this meeting, including auxiliary aids or services, please contact the Office of the City Clerk/Agency Secretary at City Hall, 17555 Peak Avenue or call 779-7259 or (Hearing Impaired only - TDD 776-7381) to request accommodation. Please make your request at least 48 hours prior to the meeting to enable staff to implement reasonable arrangements to assure accessibility to the meeting.

If assistance is needed regarding any item appearing on the City Council/Agency Commission agenda, please contact the Office of the City Clerk/Agency Secretary at City Hall, 17555 Peak Avenue or call 779-7259 or (Hearing Impaired only - TDD 776-7381) to request accommodation.

NOTICE

Notice is given, pursuant to Government Code Section 65009, that any challenge of Public Hearing Agenda items in court, may be limited to raising only those issues raised by you or on your behalf at the Public Hearing described in this notice, or in written correspondence delivered to the City Council/Agency Commission at, or prior to the Public Hearing on these matters.

NOTICE

The time within which judicial review must be sought of the action by the City Council/Agency Commission which acted upon any matter appearing on this agenda is governed by the provisions of Section 1094.6 of the California Code of Civil Procedure.